

Mayor and Council of Berlin; but if the same be set aside, the said court shall direct another inquisition to be taken in the manner above described; and in case the second or any other inquisition which is confirmed by the court shall not award to the land owners a larger amount of damages than was awarded by the first inquisition, the court may, in its discretion, order the costs of the second or other inquisition to be paid by the owner or owners of said land or materials condemned; and the inquisition shall in all cases describe the property taken or the bounds of the land condemned, and the quality or duration of the interest in the same, and the valuation the jury have put upon it, and the valuation the jury have put upon the benefit which the owner of the condemned land will derive from the proposed improvement, and the valuation of the land, less the valuation of the benefits, when paid or tendered to the owner or owners of property, his, her or their legal representatives, or when paid into court under such condition as the court may prescribe, shall entitle the Mayor and Council of Berlin to the estate and interest in the same thus valued as if it had been legally conveyed by the owners of the same; and the valuation, if not received when tendered or paid into court, may at any time hereafter be received or recovered without costs from the Mayor and Council by the owner or owners, his, her or their legal representatives; and the said valuation and the costs and other expenses of said condemnation shall be paid out of the treasury of the town; and the said sheriff shall keep said jury together for a reasonable time until they shall agree upon and sign and seal said inquisition; and in case it shall so happen that the jury can not agree after being kept together as aforesaid, the said sheriff may, in his discretion, discharge the said jury, and without further warrant from the court shall within five days thereafter summon another jury of twenty inhabitants, as aforesaid, not upon the former jury; and the same proceedings shall be had in all respects as hereinbefore provided; and in case of a second or other disagreement of the jury the same proceedings shall be had until a verdict of inquisition shall be made and returned as aforesaid. And each juror shall receive one dollar per day or part of day, actually employed, irrespective of the number of separate parcels of land valued by him, or of the number of cases in which he is sworn.

44. All ordinances and by-laws passed by the Council shall within ten days be sent to the Mayor for his approval, and he shall return the same to the next stated or special meeting of the Council, with his approval or his disapproval, and any ordinance or by-law returned by the Mayor without his approval, shall not become a law unless subsequently passed at a regular